

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

No claims are currently being canceled or amended.

Claims 16 and 17 are currently being added. Support for new claim 16 may be found on page 16 of the specification and in the drawings, and support for new claim 17 may be found on pages 8 of the specification and in the drawings.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 1-17 are now pending in this application, whereby claims 7-10 are withdrawn as being drawn to a non-elected species.

With respect to the comments made in the Office Action regarding Figure 10, Applicants have determined that this figure is correctly labeled as "RELATED ART", and that it is not prior art with respect to this application.

Based on the objection to the drawings made on page 2 of the Office Action, Applicants are submitting proposed drawing changes for Figures 4A and 5A, to include a "RELATED ART" label for each of those figures.

In the Office Action, claims 1-6 and 13 were rejected under 35 U.S.C. § 102(b) as being anticipated by Calsonic's JP-2002-272327; and claims 11, 12, 14 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Calsonic's JP-2002-272327 in view of Calsonic's JP 11-5431. These rejections are traversed for the reasons given below.

Figure 4 of JP-2002-272327 shows two partition plates (21 and 22) which are arranged in a downstream area of an evaporator (12). However, as will be described in detail below, very clear differences exist between the disclosure of JP-2002-272327 and the presently claimed invention.

In JP-2002-272327, due to the provision of the two partition plates (21 and 22), the air passage extending downstream from the evaporator (12) is divided into three downstream passages each having an air mix door (Dr) installed therein. As is seen from Figures 3 and 4 of JP-2002-272327, cooled air flowing in each of the three downstream passages is mixed with warmed air that has passed through a heater core (13) and then directed to an air blow opening. That is, in each of the air flowing passages of JP-2002-272327, there is provided a temperature controlling air mix door (Dr), and thus the temperature of air that is directed to the given air blow opening can be independently controlled. In other words, in JP-2002-272327, first, second and third air flows that are respectively directed toward first, second and third air blow openings (for example, the opening facing a driver, the opening facing a front seat passenger and the opening facing a rear seat passenger) are independently controlled.

In the present invention, the above-mentioned independently temperature controllable air flow passages are not provided. That is, in the present invention, as is seen from Figures 1 and 2A of the present drawings, only one mix door 6 (or only one slide door 62) is arranged in an air flow passage. That is, in the present invention, at a half-way position of one air flow passage where a warmed air from the heater core 7 and the air that has bypassed the heater core 7 are mixed, there is arranged only a baffle plate 26 of an air guide 24. That is, unlike the case of JP-2002-272327, the baffle plate 26 is not directed to an air blow opening. As is seen from Figures 1 and 2 of the present drawings, the baffle plate 26 is arranged in an upstream area of an air mix chamber 14.

Please note the recited "air guide arrangement" and its disposition, as recited in claim 1, whereby such a disposition is not disclosed or suggested by JP-2002-272327.

Accordingly, since JP-11-5431 does not rectify the above-mentioned shortcomings of JP-2002-272327, all of the presently pending claims under rejection are believed to patentably distinguish over the cited art of record.

The presently pending dependent claims under rejection are also patentable due to the features recited in those claims. For example, the Office Action asserts that the air guide arrangement 22 of JP-2002-272327 discloses the features of claim 6, whereby Applicants respectfully disagree with this assertion. In particular, as shown in Figures 2A and 2B of the present drawings, the claimed air guide structure includes an elongate base plate (e.g., element 25) and a baffle plate (e.g., element 26), whereby the partition walls 22 of JP-2002-272327 do not disclose or suggest these features. There is no elongate base plate that extends across a second outlet opening in JP-2002-272327, whereby it shows three separate air flow passages and three separate air mix doors (Dr). Also, the partition plates 21, 22 of JP-2002-272327 are not raised from a middle portion of a base plate.

Thus, claim 6 is patentable for these additional reasons.

New claims 16 and 17 have been added, and they recite features of the present invention that are not disclosed, taught or suggested by the cited art of record, when taken as a whole.

Therefore, since there are no other objections or rejections raised in the Office Action, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under

37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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FIG.4A

RELATED ART

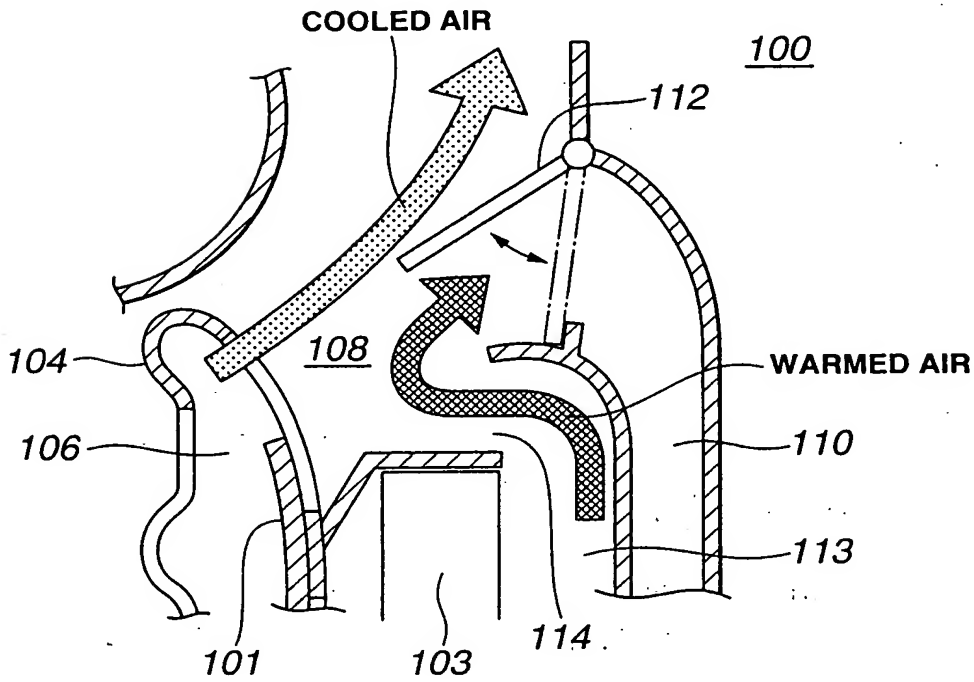


FIG.4B

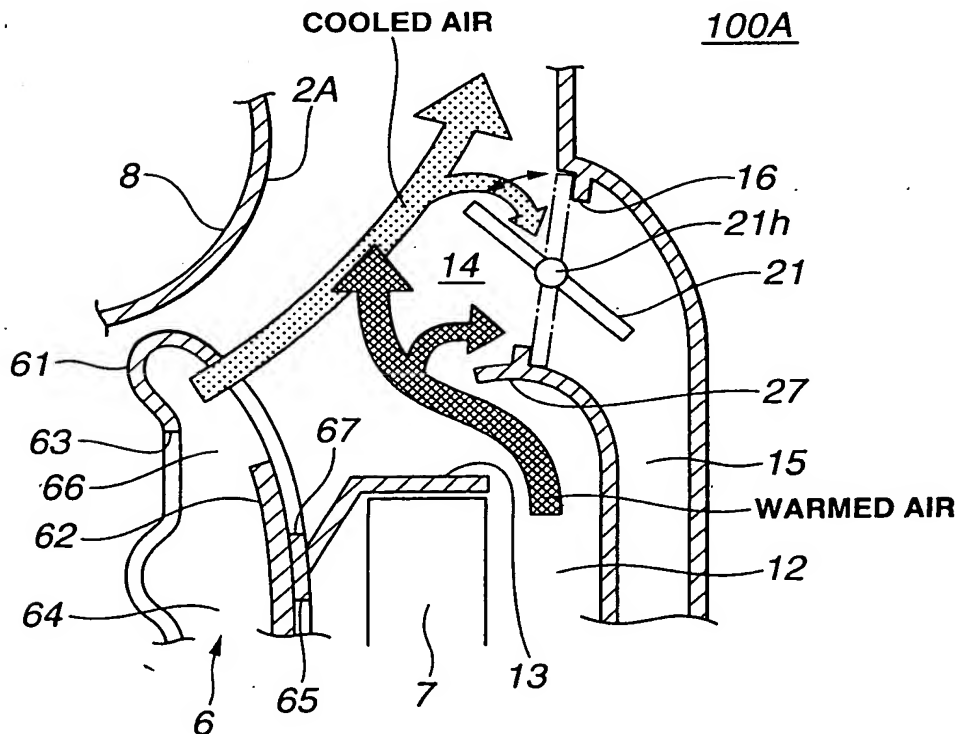




FIG.5B

100A

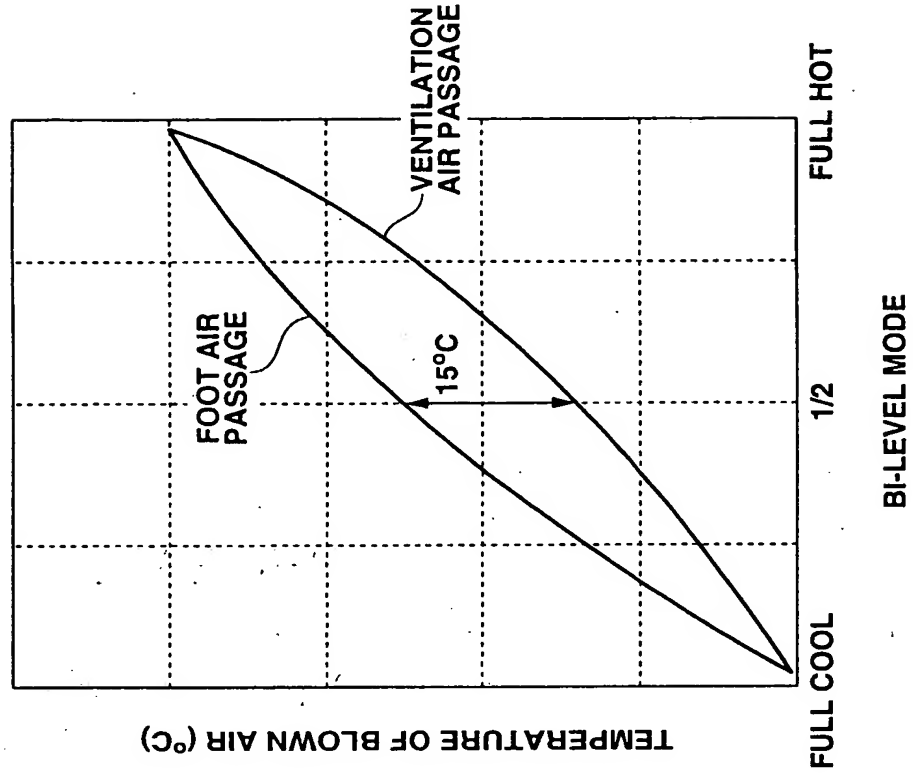


FIG.5A

RELATED ART 100

